

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

UNITED STATES OF AMERICA

v.

AVROM BROWN

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CRIMINAL NO. 18-101-3

DEFENDANT'S PROPOSED VOIR DIRE QUESTIONS

The Defendant, Avrom Brown, by and through undersigned counsel, respectfully submits the following proposed voir dire, and respectfully requests that this Court ask the following questions of the jury panel during the jury selection process.

Respectfully Submitted,

/s/ Brian J. McMonagle, Esq.

1. The defendant, Dr. Avrom Brown, is charged in an indictment with Maintaining Drug Involved Premises in violation of 18 U.S.C. § 856. The premises in question is the Advanced Urgent Care with offices in Philadelphia, Montgomeryville, and Willow Grove. Do any of you know Dr. Brown personally. Do any of you have any personal opinions about Dr. Brown that would prevent you from being fair in this case. Have any of you, or have any of your friends or family been treated at any of the Advanced Urgent Care Facilities? If so, are you aware of any information regarding those facilities that would prevent you from being fair in this case?
2. Do you know anything at all about the facts of this case or about this case in general, or have you learned anything about the case since appearing at the courthouse this week? Have you heard, seen, or read anything about this case in the media, or through the internet or from any other source? If so, have you formed any opinions about this case?
3. Do you harbor any beliefs or opinions about pain management treatment or treatment centers that would prevent you from being fair in this case?
4. Have any of you, or have any family members or friends been treated at a Pain Management Center or a medical office that performs pain management or treatment? If so, have you had any experiences that would prevent you from being fair in a case involving such a center?
5. Do any of you have any opinions about the prescribing of opioids for pain management that would prevent you from being fair in this case.
6. Have any of you or have any family members or friends who have had an experience with opioid use that would prevent you from being fair in this case? Do you believe that you would not be able to decide this case fairly because of the nature of the charges in the Indictment?

7. Have any of you watched the recent series entitled “Dopesick”? If so, would you be unable to be fair in a case involving the subject matter discussed in that series?
8. Have any of you watched any television shows, broadcasts, or documentaries, listened to any podcasts or broadcasts, read any books, magazines or internet stories covering the opioid crisis in the United States? If so, are you able to put aside what you have read and render a verdict based solely on the evidence presented in this courtroom?
9. Have you or any family members had any experiences with drug use, drug addiction, or drug treatment. (sidebar)
10. Do any of you have any feelings about substance abuse or the prescribing of pain medications that would make you unable to decide this case fairly?
11. Do you know counsel for the United States Government or counsel for the defendant? If yes, please explain.
12. During the course of the trial, you may hear from or about the following individuals: *[read joint witness list]*. Do you know, or have you had dealings with, any of these people.
13. Have you, members of your immediate family, or your close personal friends ever been employed by the United States government, the Federal Bureau of Investigation, the DEA, or any other federal, state, or local law enforcement agency? If so, would you treat the testimony of law enforcement witnesses more favorably than other witnesses merely because of their position.
14. Would you give greater weight to the sworn testimony of a witness simply because they are being called by the Government.
15. Have you ever served in the military.
16. Have you ever served on any town watch groups.

17. Have you had any dealing whatsoever with the United States Government in connection with which you feel that the government did not give you fair treatment? If so, please explain.
18. Have you ever been a juror or grand juror before? If yes, where, when, and in what type of case (civil or criminal)? If yes, did you reach a verdict?
19. Do you have any physical or emotional disability, impairment, or condition that would interfere with your ability to hear, see, or pay attention to the evidence in this case?
20. Do any of you have any health issues or concerns specific to COVID 19 or it's variant that would prevent you from serving on a jury for approximately eight weeks?
21. A fundamental principle of law is that an individual charged with a criminal offense is presumed innocent and it is the Government's burden to prove that individual's guilt beyond a reasonable doubt. As such the defendant has no burden of proof whatsoever. Is there anyone in the panel would have any difficulty following this principle of law?
22. The defendant has a constitutional right not to testify. However, some people may feel that if a citizen does not testify in their own defense they must be guilty. Is there anyone in the panel who would expect the defendant to testify, and would hold it against him if he does not?
23. The parties anticipate that this trial will last approximately six weeks. Would jury service on a matter of that length cause a severe and unavoidable hardship to you?
24. Do you have any personal or religious beliefs that would make it difficult or impossible for you to render a fair and impartial verdict? For example, do your religious or other beliefs prevent you from sitting in judgment of others?
25. Do you have any opinions about this case or any of the defendants that would make it difficult for you to be a fair and impartial juror?

26. If you were representing the defendants or the government in this case, is there any reason you would not be comfortable having someone with your frame of mind as a juror.

27. Can you think of any other matter that might have some bearing on your qualifications as a juror or on your ability to render a fair and impartial verdict based solely on the evidence and my instructions on the law.

Respectfully Submitted,

s/BRIAN J. MCMONAGLE

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12-22-21

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing has been served by
Electronic Court Filing upon the Government and all counsel.

/s/Brian J. McMonagle, Esq